



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Goix, et al.

Serial No. 09/844,080

Filing Date: April 26, 2001

For: *Particle or Cell Analyzer and Method*

Art Unit: 1641

Examiner: Gabel, G.

**RESPONSE TO RESTRICTION
REQUIREMENT TRANSMITTAL**

Date: November 15, 2002

TECH CENTER 1600/2900

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CERTIFICATE OF MAILING

I hereby certify that this document or fee is being deposited with the United States Postal Service as First Class Mail addressed to Box Amendment,, Assistant Commissioner for Patents, Washington, D.C. 20231 on November 15, 2002.

SIGNED: _____

Leslie Hoffmann
Leslie Hoffmann

BOX AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Transmitted herewith is:

- ☒ Response to Restriction Requirement (2pgs.);
- ☒ Check No. 5124 in the amount of \$36.00 and
- ☒ Return Self-Addressed Postcard.

The fees have been calculated as shown below:

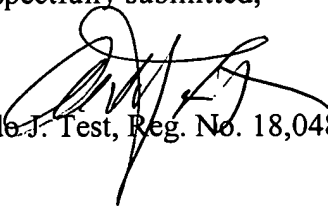
	Claims Remaining After Amendment	Minus	Highest Previously Paid For	Present Extra	Small Entity Rate Fee	OR	Other than a Small Entity Rate Fee
Total Claims	35		35	4	x 9 = \$36.00		x 18 = \$ 0
Indep Claims	5		5	0	x 42 = \$ 0		x 84 = \$ 0
	[] Multiple Dependent Claim Presented and Fee not Previously Paid				+135 = \$ 0		+270 = \$ 0
					TOTAL \$36.00		TOTAL \$ -0-

Total Additional Claims Fee:

\$ 36.00

[X] The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to our Deposit Account No. 50,2319 (Order No. A-69516/AJT).

Respectfully submitted,


Aldo J. Test, Reg. No. 18,048

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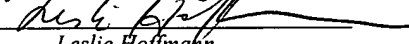
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CERTIFICATE OF MAIL (37 CFR 1.8(a))

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Signed: 
Leslie Hoffmann

BOX AMENDMENT

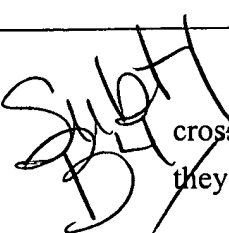
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in Response to the Requirement for Restriction mailed October 21, 2002 for the above-identified application.

In the Claims:

Please add the following new claims.


34. A particle analyzing apparatus as in claim 1 in which the predetermining internal cross sectional area of said capillary is such as to cause substantially all particles to singulate as they pass through the analyzing volume.

35. A particle analyzing apparatus as in claim 1 in which said at least one detector means for detecting fluorescent light emitted by particles in said predetermined volume includes:

means for gathering fluorescent light emitted by particle in said volume,

a beam splitter for receiving said gathered light and reflecting light above a predetermined wavelength and passing light below said predetermined wavelength,

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